Message

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**Sent:** 7/22/2021 9:36:31 PM
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**Subject:** FW: OCSPP News for July 16, 2021

**General EPA**

- Bloomberg Law 07/15; EPA Looks to Outside Help to Button Up Scientific Integrity

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**Subject:** OCSPP News for July 16, 2021

## OCSPP Daily News Round-Up

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- Growing Produce 07/16; Support Growing for Scientific, Risk-Based Regulation of Pesticides
- Woodstock Sentinel-Review 07/15; Glyphosate's illegal use is an open secret

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**EPA Looks to Outside Help to Button Up Scientific Integrity**
Stephen Lee, Bloomberg Law
https://news.bloomberglaw.com/environment-and-energy/epa-looks-to-outside-help-to-button-up-scientific-integrity?context=search&index=4

The EPA chemicals office will soon hire an outside vendor to help it better understand problems employees face with scientific integrity, according to an internal email reviewed by Bloomberg Law.

The engagement of outside help appears to underscore Environmental Protection Agency Administrator Michael Regan's commitment to ensuring professionalism and restoring public trust in its science, especially in the wake of alleged violations during the Trump administration.

"It is wise to have fresh eyes look at these in the course of the review," said Andrew Rosenberg, director of the Union of Concerned Scientists' Center for Science and Democracy.

EPA employees may feel more comfortable blowing the whistle on alleged violations to a third party, especially if the results appear in a summary report without names, said Alexandra Dunn, who led the agency's chemicals and pesticides office under Trump.

First Steps
The outside vendor will first review the New Chemicals Division within the agency's Office of Chemical Safety and Pollution Prevention, Michal Freedhoff, assistant administrator of the chemicals office, said in the email sent Wednesday. The review will expand to other parts of OCSPP "over the coming months," she wrote.

Her email didn't name the outside vendor or say how much the vendor would be paid.

The EPA received 17 allegations of policy violations and 56 advice requests during fiscal year 2020, Francesca Grifo, the agency's scientific integrity officer, said in an internal meeting in March. Of the queries sent to the scientific integrity office, 64% alleged interference with evidence and 10% claimed the delay or suppression of science, Grifo said.

Dunn, now a partner at Baker Botts LLP, said the Trump-era EPA took scientific integrity seriously.

"An issue of scientific integrity is when someone is being told to falsify their research, to do things that, to a reasonable person, would appear to be unethical and inappropriate," she said. "But sometimes we have limited time, so management has suggested that we prioritize 10 studies. And maybe the 11th study is one that a particular scientist really favors. Sometimes those management decisions kind of blur with what can be perceived as a scientific integrity issue."

EPA senior leadership under Regan has acknowledged the issue of demarcating between science decisions and policy decisions. OCSPP provided training to staff on Thursday about differing scientific opinion and "the robust exchange of views about science."

Separately, the EPA Office of Inspector General is examining allegations that managers under previous administrations retaliated against scientists.

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**Agency official pressed on scientific integrity review**

Kelsey Brugger, E&E News

https://subscriber.politicopro.com/article/eenews/1063735053

E&E News PM | EPA this afternoon convened a virtual hearing on its scientific integrity policy, following a Biden memo directing the agency to review all past allegations.

At the start of the event, Francesca Grifo, EPA's scientific integrity officer, said the agency is on track to complete the review by about Thanksgiving.

"This is an enormous task," she said.

But on other tasks, EPA has fallen short. Grifo acknowledged the office has yet to release its 2019 report but vowed to produce it by late July. She added that she hoped the 2020 report would be out by midfall.

President Biden has elevated the issue of scientific integrity with the goal of protecting government scientists from retaliation and promoting the best available science for decisionmaking. He directed the White House science office to form a task force to review agency policies across the federal government and look into violations that occurred during the Trump era.

Science groups and other advocates have welcomed the approach but stressed some shortcomings.

For one, the watchdog group Public Employees for Environmental Responsibility said EPA's scientific integrity policies fail to include any adjudication mechanisms, rendering them somewhat futile.

"The current toothless policies protect neither science nor scientists," said PEER Executive Director Tim Whitehouse, pointing out that there are virtually no examples of a manager or political appointee being punished. "If there is no penalty for violation, why have these policies?"

In response to this line of questioning during the session, Grifo today said her office simply gathers information, and punitive remedies are outside of her scope.

"It is not our position that there should be no punishment," she said. "It is simply that that is not our lane. Our lane is to determine if the policy has been violated." She added that whistleblowers could take complaints to management up the chain.

"It's important for accountability, but it's just not what the scientific integrity policy does," she said.

Instead, Grifo said, the cases are referred to the Office of Inspector General or the Office of Special Counsel, but the adjudication powers of those offices are also unclear.

"We do want to take steps to make this stop, because it's not OK," she said. "It's a terrible thing."

Lauren Kurtz, executive director of the Climate Science Legal Defense Fund, who was also watching the event, expressed concern with Grifo's emphasis on not "dwelling in the past."

"It's a challenging balance because there is a real need to learn from past mistakes, and we know that many issues are not reported," Kurtz said.

According to the group's science tracker, 82 violations occurred at EPA under Trump, and anonymous survey results show thousands of complaints.

"I strongly believe there is a need for a very thorough review of past failings to learn how to better protect science in the future," she said.
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**Environmentalists Urge CSB To Make EPA, OSHA 'Top Advocacy Priority'**
Suzanne Yohannan, Inside EPA
https://insideepa.com/daily-news/environmentalists-urge-csb-make-epa-osha-top-advocacy-priority

Environmental, labor and other groups are pushing to overhaul the U.S. Chemical Safety and Hazard Investigation Board (CSB) by rebuilding its investigative capacity to better protect workers and by making reform of EPA and OSHA chemical safety regulations its "top advocacy priority," among other measures.

Twenty-two groups, including Earthjustice, the Union for Concerned Scientists, United Steelworkers (USW) and the National Council for Occupational Safety and Health, wrote a July 8 letter to CSB Chair Katherine Lemos, seeking a host of reforms and citing "growing concerns" over the board's functionality and its ability to execute its mission.

The groups say their recommended changes can be implemented under the board's existing annual budget of $12 million.

CSB is an independent federal agency tasked with investigating industrial chemical accidents at sites across the country and making recommendations to other agencies, policymakers and facilities on how to prevent future incidents, though it lacks independent enforcement authority.

It was created by the Clean Air Act Amendments of 1990 and is overseen by EPA's Office of Inspector General (OIG).

The board languished under former President Donald Trump, who sought to eliminate the agency and allowed the board to dwindle to a single Senate-confirmed member as prior appointees' terms expired.

President Joe Biden has since nominated three new members though they are facing likely Senate confirmation battles as key outside groups are split over their relative expertise.

And Lemos announced earlier this year that she plans to craft a new operating order for the board, as recommended by EPA's OIG, and hire new investigators.

Nevertheless, the board continues to face bipartisan concerns, with lawmakers from both parties recently writing to Lemos on a range of issues, from the "quorum of one" to possible conflicts of interest among staff, that the lawmakers say "may be undermining" the board's work.

The public interest groups appear to echo some of those concerns, noting that while CSB over its 22 years has made recommendations that have prompted significant safety improvements, today, the board "needs to rebuild its investigative and recommendations capacity; set clear priorities for agency action; reform its governance policies; and increase public transparency and engagement."

The groups point out 180 major incidents occur annually at the country's oil refineries, chemical plants, water and sewage treatment plants and other facilities using hazardous chemicals, resulting in deaths, injuries, environmental contamination, facility shutdowns and community evacuation or shelter-in-place orders. But CSB currently has 19 open site investigations of incidents -- the most open investigations in its history, they say.

RMP Rule
Among other things, the groups call for CSB to make as the board's top advocacy priority calls for meaningful reform of EPA's Risk Management Program (RMP) rule -- something EPA is currently considering -- and the Occupational Safety & Health Administration's (OSHA) Process Safety Management of Highly Hazardous Chemicals (PSM) standard.

The board's work "has been important for years in identifying serious gaps in federal safety regulations, and it is urgent to get the Board's work back on track," Terry McGuire, senior legislative representative for Earthjustice, said in the groups' press release on the letter.

EPA has been seeking comment from stakeholders as it looks to revise the Trump-era RMP rule that rolled back Obama-era chemical facility safety requirements. The agency is planning to propose a new rule by September 2022, and wants to issue a final rule by August 2023.

The Trump RMP rule, issued in 2019, effectively weakened protections under the 2017 Obama-era rule by rescinding all of the original rule's major accident prevention program provisions; and by retracting mandates that would have required third-party audits after an incident, [...]
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**Amazon broadens 'Climate Pledge Friendly' badge system in the US and Europe**
BusinessGreen Staff, GreenBiz
https://www.greenbiz.com/article/amazon-broadens-climate-pledge-friendly-badge-system-us-and-europe

Amazon has expanded its climate-friendly certification for products listed on its online retail sites in Europe and the U.S., announcing four more green badges covering chemicals, organic products, animal welfare and human health in a bid to enable more sustainable shopping choices.

The retail and tech behemoth first launched its "Climate Pledge Friendly" badges for qualifying items sold on its platforms across five European countries last autumn, a move which has since expanded to encompass more than 75,000 products across both Europe and the U.S.

The certification badges initially indicated whether goods have met one or more of 27 third party sustainability certifications, but this week Amazon said another four certification bodies officially had joined the scheme, providing climate-friendly badges for products across the grocery, household and beauty sectors.

A label denoting whether products and ingredients have achieved the U.S. Environmental Protection Agency's (EPA) "Safer Choice" criteria for both human and environmental health has been added, as has an EWG Verified label on chemical safety for manufacturers committed to using safer ingredients, according to Amazon.

A Regenerative Organic Certified (ROC) certification badge for food, textiles and personal care ingredients demonstrating that farms and products meet high standards for soil health, animal welfare and social fairness also will be carried on qualifying products, the tech giant said.

And, an Animal Welfare Approved food label has been added to verify that animals have been raised on more sustainable, independent farms, with no hormones, animal byproducts and confinement used during their lives.

Products eligible for Climate Pledge Friendly labels are identified in shopping results, have additional information about the certifications that make the product Climate Pledge Friendly, and are featured in a dedicated section of Amazon's web store, the firm explained.

"Customers want a way to make more sustainable and informed shopping choices, and Climate Pledge Friendly is ramping up its efforts to help customers know their purchases meet sustainability standards and are helping to preserve the natural world," said Adam Werbach, global lead for sustainable shopping at Amazon. "We are excited to add EWG Verified, EPA Safer Choice, Regenerative Organic Certification, and Animal Welfare Approved to the Climate Pledge Friendly program's trusted third-party certifications, which allow customers to discover and shop even more Climate Pledge Friendly brands and products."

It follows recent criticism of Amazon — including from U.K. Prime Minister Boris Johnson — over reports from ITV that the company has been destroying millions of items of unsold stock in the U.K. every year. In response, Amazon has insisted it is working towards a goal of zero product disposal, and that at present no items are sent to landfill in the U.K.

The announcement builds on a series of major green commitments from the company over the past couple of years, including its pledge last year to reach net-zero emissions by 2040, plans to switch its road fleet to zero emission vehicles, and a goal to source 100 percent of its electricity from renewables by 2030, a feat it expects to achieve five years ahead of schedule in 2025.
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**Industry Eyes Options To Avoid CBI Hurdles In New TSCA Reporting Rule**
Maria Hegstad, Inside TSCA
https://insideepa.com/tsca-news/industry-eyes-options-avoid-cbi-hurdles-new-tsca-reporting-rule

An industry attorney says EPA's new TSCA rule requiring companies to submit existing toxicity studies on 50 chemicals could create "enormous problems" for firms that conducted such studies for European regulators but consider them confidential business information (CBI), and is seeking to organize an industry group to resolve the issue with the agency.

Herb Estreicher, a partner with the law firm Keller and Heckman, said during the firm's July 14 TSCA 30/30 webinar that EPA's newly finalized Toxic Substances Control Act (TSCA) section 8(d) rule setting existing study reporting mandates for 50 chemicals poses CBI issues for American companies that compiled health and safety data on any of those substances to register them under the European Union's Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) law.

"If you're a U.S. company and you're multinational and your foreign subsidiaries, or your own representatives, have developed health and safety studies for REACH or you're part of a consortium for REACH registration and you have in U.S. files a copy of those studies, you have to turn it in," even if it relies on data considered confidential in the United States, Estreicher said.

He was responding to EPA's June 29 rule under TSCA section 8(d) requiring companies to turn over health and safety data for the 20 chemicals it designated as high-priority for risk evaluation in 2019, as well as 30 flame retardants being studied by the Consumer Product Safety Commission.

The rule covers any health and safety studies in companies' possession, as well requiring companies to list any studies the firms know to exist or to be ongoing but not in their possession.

Estreicher warned that such a mandate can create "huge and enormous problems" because any such firm would have to

either violate EPA's regulation, which Estreicher noted carries stiff penalties, or risk release of valuable intellectual property because studies collected under the TSCA reporting rule can be disclosed to the public.

Moreover, he said, a company that conducted its REACH testing as part of a consortium -- a common method to reduce compliance costs -- may have a contractual duty not to disclose the results other than to EU regulators.

"The first problem is that you may have contractual obligations with the data holders or the consortia not to turn [studies] over. Or there may be imitations on your ability to turn [them] over, even if demanded by a governmental authority," Estreicher said.

"Lots of consortia say you can only turn over summaries [of the studies]. Others say you have to notify the consortium, the data owners, to get permission to turn them over. There are all kinds of variants of how you may be restricted by contract [from] actually complying with this rule."

FOIA Requests
Further complicating the matter, he said, TSCA section 14 does not allow EPA to hold health and safety studies as CBI. As a result, the agency is required to release environmental health and safety studies it receives through TSCA reporting in response to Freedom of Information Act (FOIA) requests. This mandate that has already led officials to turn over studies that industry sought to shield as CBI.

During its risk evaluation of pigment violet 29 (PV29), EPA initially refused a FOIA request seeking 24 toxicity studies that industry developed for REACH purposes but later provided to the agency to support the TSCA evaluation. But Trump-era chemicals chief Alex Dunn, early in her tenure, reversed that decision, acknowledging that EPA had erred in designating the studies as CBI and published them in a public docket.

Estreicher said that if EPA releases an unpublished study in response to a FOIA request, "someone can then, conceptually, turn around and take that and submit it to" other countries that use a REACH-like chemical registration regulatory system, such as Korea, Turkey or the United Kingdom "and not pay compensation to you and the data [...]
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**Industry Says Vanadium IRIS Assessment Plan Relies On Flawed Science**
David LaRoss, Inside TSCA
https://insideepa.com/tsca-news/industry-says-vanadium-iris-assessment-plan-relies-flawed-science

Industry groups are charging there are scientific errors in EPA's inhalation risk assessment plan for vanadium and urging the agency to organize a "workshop" to aid the project, contending in particular that the draft plan overestimates the prevalence of the most notorious form of the metal, vanadium pentoxide ($V_2O_5$).

In comments filed ahead of a July 13 deadline, two trade groups and one of the largest vanadium processors argue that EPA's draft Integrated Risk Information System (IRIS) assessment plan for vanadium inhalation assumes more $V_2O_5$ in the air than other research would support, and urge the agency to correct those findings lest they taint the risk assessment's results.

"The vanadium literature, particularly the toxicological literature, appears to contain many examples of authors assuming vanadium is present in the atmosphere simply as vanadium pentoxide. A growing number of examples in the chemical literature suggest this is not true and the situation is more complex. It is important the review process challenges rather than perpetuates inaccuracies in the literature regarding vanadium speciation," reads a July 11 comment letter filed by Vanitec, a "technical/scientific committee" of companies and other entities that work with or study the element.

Similarly, the processor US Vanadium writes in a July 11 letter that EPA's draft "gives the impression that vanadium pentoxide is a prevalent form of vanadium in industry and in the environment. However, vanadium pentoxide does not

occur naturally in the environment and is surpassed in industry by many other vanadium compounds."

EPA's findings on the prevalence of V2O5 will be crucial both to the inhalation assessment and a separate IRIS study of ingestion risks, as both will cover all forms of vanadium rather than a single "species."

"[V]anadium IRIS Assessments are particularly complicated as vanadium exists in 4 oxidation states, 23 species, and nine charges (including anions and cations)," the Vanadium Producers and Reclaimers Association (VPRA), which represents the vanadium sector in the United States, writes in its July 13 comments.

V2O5 has long been seen as the highest-priority form of vanadium to regulate -- it is the most common species in industrial use and was the focus of an earlier IRIS assessment that fell apart after years of work -- and EPA is already facing pressure to take a conservative approach to the pending evaluations that could subject other vanadium compounds to the same risk values it uses for whichever variant is found to be most toxic.

For instance, West Virginia's environment department argued in May 13 comments on the ingestion assessment that for any compound or other variant of vanadium where EPA cannot estimate a specific toxicity value, the agency should use the most stringent figure it develops for any of the species -- effectively assuming that any poorly studied form of vanadium is as toxic as the most potent version known.

Industry could oppose such a plan by arguing that V2O5, or any other variant found to be particularly dangerous, is rare in the environment and thus a poor surrogate for risks posed by other forms of vanadium.

Vanadium Workshop
In its letter, VPRA urges EPA to address that issue and several others in the draft IRIS plan by organizing "a workshop on the environmental chemistry of vanadium compounds covering the chemistry involved in BOTH the oral and inhalation IRIS assessments."

And the other commenters warn against using a study of "granular" V2O5 to inform a reference concentration (RfC) -- the airborne concentration of a chemical considered to be safe for human exposure -- because that compound usually appears only in a more solid "flake" form.

"It is very reassuring to know that vanadium speciation and oxidation state are considered key to determining an RfC for vanadium. However, because V2O5 is not . . . one of the prevalent species in air, it would be derelict to use a granular V2O5 [...]
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**EPA touts Amazon embrace of Safer Choice in climate initiative**
NA, Inside TSCA
https://insideepa.com/tsca-takes/epa-touts-amazon-embrace-safer-choice-climate-initiative

EPA is highlighting a new announcement by Amazon that it will include products certified by the agency's Safer Choice program in its database of "Climate Pledge Friendly" goods, in the latest sign of new activity from the program that supporters are pushing to reinvigorate after it suffered deep resource cuts under the Trump administration.

"Safer Choice is now one of 30 sustainability certifications highlighted under Amazon's Climate Pledge Friendly initiative which helps customers shop for more than 75,000 products through the company's online store," EPA said in a July 13 press release.

"We are pleased that Amazon is increasing awareness of products with safer ingredients by including EPA's Safer Choice certification in its initiative," said chemicals chief Michal Freedhoff in the press release. "EPA's Safer Choice program provides national and international leadership for our chemical safety mission in a way that benefits families, children, workers, communities, pets, and the environment."

Safer Choice allows companies to label products that use only components from the Safer Chemicals Ingredients List -- a roster of substances that EPA has determined to be safer than traditional chemicals found in many household items.

The agency's statement follows a June 24 letter from a broad coalition of states, industry associations and citizen groups to House and Senate appropriators where they urged Congress to boost funding for Safer Choice program, warning that Trump-era cuts have left it with little ability to act.

They wrote that following a reorganization of the Office of Chemical Safety and Pollution Prevention that shifted many Safer Choice staff and resources to implementation of the Toxic Substances Control Act, "the program is now severely under-resourced with approximately four full-time staff. New leadership at EPA has taken steps to restore the program, but the agency faces resource constraints. We urge you to fully restore the Safer Choice Program."

The July 13 press release appears to emphasize the Biden administration's commitment the Safer Choice activities, concluding, "Later this year, EPA will award the 2021 Safer Choice Partner of the Year awards. In support of the Biden-Harris Administration's goals, EPA will select winners with consideration for those that show how their work in the design, manufacture, selection and use of those products promotes environmental justice, bolsters resilience to the impacts of climate change, results in cleaner air or water, or improves drinking water quality."
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**Biden EPA Ramps Up Class-Based Approach To Assessing PFAS Risks**
Jeremy Bernstein, Inside EPA
https://insideepa.com/weekly-focus/biden-epa-ramps-class-based-approach-assessing-pfas-risks

After a slow start, EPA is ramping efforts to take a broad, class-based approach to assessing risks posed by the thousands of chemicals in the per- and polyfluoroalkyl substances (PFAS) class, part of a broader effort by the Biden White House to address the chemicals across multiple agencies.

EPA's recent actions, issued under its Safe Drinking Water Act (SDWA) and Toxic Substances Control Act (TSCA) authorities, will provide officials with reams of data on thousands of PFAS, the broad class of chemicals widely used for their non-stick and other qualities, but which persist in the environment, posing a range of health risks.

And while the agency is unlikely to quickly regulate such a broad universe of substances, officials are poised to propose narrower rules that will allow regulators to address some key chemicals. Nevertheless, some of EPA's actions are expected to drive other programs to consider a much broader universe of substances than they otherwise might have.

In particular, EPA's proposed Contaminant Candidate List (CCL5) of substances it will consider for future regulation under SDWA, released July 12, seeks to list all but two of at least 4,000 PFAS for scrutiny.

The CCL5 proposal is a signal that other agency programs "should look at PFAS more broadly than those we are identifying using current analytical methods," says one drinking water utility source.

The source adds that the listing will also help assess the chemicals' risks. "We know there is a big family of PFAS," the source says, but the question is: which of them pose risks and at what levels.

EPA echoed this in the proposal, touting its listing of the "broad group" of PFAS to demonstrate its "commitment to prioritizing and building a strong foundation of science on PFAS while working to harmonize multiple authorities to address the impacts of PFAS on public health and the environment."

The utility source also notes that EPA used the same broad structural definition of PFAS in its proposed CCL5 rule as it did in its congressionally mandated TSCA proposal, released June 10, requiring companies that have manufactured, imported or processed PFAS since 2011 to report data on those activities to EPA.

However, EPA noted in its proposed TSCA reporting rule that this is a "working definition which has been used by EPA's Office of Pollution Prevention and Toxics when identifying PFAS on the TSCA Inventory. This definition may not be identical to other definitions of PFAS used within EPA and/or other organizations," the proposal adds.

In addition to the two proposals, EPA chemicals chief Michal Freedhoff July 14 announced a national PFAS testing strategy, using test order authority under TSCA that will require industry to conduct new testing on the toxicity, fate and other properties of select PFAS, as part of an agency-wide strategy for addressing the chemicals.

"We intend for this national testing strategy to address the data needs of multiple offices at EPA and throughout the federal government, as well as to support future actions on PFAS," Freedhoff said.

Freedhoff announced the upcoming TSCA test mandates alongside new details on efforts to roll back previously granted exemptions from new-chemicals review for some perfluorinated substances, and initiatives from EPA's waste and water offices -- all to be informed by data from the upcoming tests.

Whole-Of-Government Approach
At the same event, Brenda Mallory, chairwoman of the White House Council on Environmental Quality (CEQ), underscored that officials are taking a whole-of-government approach to assessing PFAS.

"Our goal at CEQ is to help move all of these agencies as quickly as possible in a direction that will provide relief to impacted communities and avoid future exposure," she said, noting ongoing efforts by agencies including the Food and Drug Administration to assess risks from PFAS in cosmetics and U.S. Department of Agriculture to respond to situations where livestock are exposed. [...]
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**PFAS Bill Sponsors Aim To Bolster GOP Support Ahead Of House Vote**
David LaRoss, Inside EPA
https://insideepa.com/daily-news/pfas-bill-sponsors-aim-bolster-gop-support-ahead-house-vote

The House will vote next week on a bipartisan bill to set strict limits on per- and polyfluoroalkyl substances (PFAS) under several environmental laws, with its sponsors urging environmentalists and other supporters to step up advocacy for its passage in hopes of winning broad GOP support needed to overcome a Senate filibuster.

In speeches to the Environmental Working Group's (EWG) July 14 "Inaugural PFAS Conference," several of the sponsors of H.R. 2467, the "PFAS Action Act," said they expect a floor vote the week of July 19.

The bill is co-sponsored by several Republicans, including Reps. Fred Upton (R-MI) and Brian Fitzpatrick (R-PA), and cleared the House Energy and Commerce Committee last month with support from several more.

But during the EWG conference, Democratic and Republican supporters of the bill urged the audience to pressure additional Republicans to vote for it, after the 2020 version of the bill passed the House with bipartisan support but died in the Senate.

"We had a significant number of Republicans last time. We need you to help make sure we're getting more Republican votes this time," Rep. Debbie Dingell (D-MI), one of the bill's primary architects, told the conference.

And Rep. Dan Kildee (D-MI) said in a later panel that if the bill wins more GOP votes than it did in 2020, that would "send a strong message" that it can overcome a filibuster.

"[T]he hope is the bipartisan nature of all of this work will be manifest in a vote in the House and a vote in the Senate. If we can pick up some additional votes in the House, from the 25 [Republicans] who originally supported us . . . that'll

send a strong message to the Senate," he said.

Fitzpatrick said during the same session that he too is confident of the bill's House passage but expects its fate in the Senate to depend in part on pressure both from the public and from individual lawmakers.

"It has bipartisan support, and after it passes the House . . . Dan and I and our caucus members are going to go across the street to our Senate colleagues and urge them to get this across the finish line," Fitzpatrick said.

Kildee added that President Joe Biden's support for more stringent PFAS limits could also boost the bill, in contrast to the expectations that now-former President Donald Trump would have vetoed it had it cleared Congress.

"One of the challenges we had in the last Congress was that, I think, a lot of Brian's colleagues in the House and the Senate were concerned that they would be putting themselves in position of having to vote for something that the president would veto, since the former president was intent on vetoing anything related to PFAS, for the most part," he said.

Kildee added that it would have been especially difficult to convince lawmakers to override a veto from a president of their own party. "That's gone now -- that threat is gone. . . . And the fact that the president will sign the legislation, I think, may erase one of the barriers."

GOP Support
If enacted as currently written, H.R. 2467 would require EPA to take action under the Safe Drinking Water Act, Toxic Substances Control Act (TSCA), Comprehensive Environmental Response, Compensation and Liability Act and the Clean Air Act to address PFAS, including a five-year moratorium on approvals of new PFAS under TSCA and mandatory drinking water standards for two of the most prominent chemicals in the class.

During the Energy & Commerce Committee's June 23 markup, three Republicans -- Upton and Reps. Richard Hudson (R-NC) and David McKinley (R-WV) -- joined all Democrats present in support of the measure, after the panel voted down a series of GOP-backed amendments to create sector-specific carve-outs from new PFAS limits or prolong their implementation.

But some of those proposals could make a return as potential points of compromise between Democrats and Senate Republicans.

Upton, one of the bill's GOP sponsors, said as much during debate on one of the amendments, [...]
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**At NAS Meeting, Experts Call For Limits On PFAS Use Despite Data Gaps**
Diana DiGangi, Inside TSCA
https://insideepa.com/tsca-news/nas-meeting-experts-call-limits-pfas-use-despite-data-gaps

Speakers at a National Academy of Sciences (NAS) meeting on per- and polyfluoroalkyl substances (PFAS) called for stronger regulations on use of the chemicals despite data gaps on their toxic properties, saying existing evidence is enough to justify the need for stronger rules despite EPA's just-announced push for new TSCA testing.

Speaking at a July 14 meeting of the NAS committee tasked with crafting guidance on clinical testing for PFAS exposures and their health impacts, Jamie DeWitt, an associate professor of pharmacology and toxicology at East Carolina University, said several scientists have argued that the chemicals' persistence in the environment, and what data is already available on their toxicity, is reason enough to regulate the entire class.

Their logic, DeWitt said, is that "we shouldn't have chemicals that almost never break down in the environment. They shouldn't be in products, they definitely shouldn't be in our bodies. This is a criterion that some scientists are suggesting

should be used for management purposes."

She continued, "Other scientists are suggesting that we know enough about their persistence, bioaccumulation, mobility and toxicity that we should take these into consideration, apply them to PFAS as a class and move forward with management of PFAS as a class based on the concerns that we do understand, rather than the uncertainties or data gaps that we have yet to fill."

And Linda Birnbaum, the former director of the National Institute for Environmental Health Sciences (NIEHS) and its National Toxicology Program (NTP), told the committee "we need to work on reducing exposure" in light of the known dangers of PFAS use in a host of items such as fast-food packaging, carpeting and clothing.

She added that those reductions should happen through regulation because "it's really not fair to make it an individual choice, as opposed to a policy action."

DeWitt and other scientists spoke on a panel of experts providing advice to the NAS panel, which has sought testimony from an array of scientists and members of PFAS-affected communities to inform its eventual guidance on health testing and "principles clinicians can use to advise patients on exposure reduction."

Their comments contrast with EPA's announcement that same afternoon of a new Toxic Substances Control Act (TSCA) testing initiative for PFAS, which chemicals chief Michal Freedhoff said will inform potential rulemakings at several of the agency's program offices.

In an address to the Environmental Working Group's July 14 "Inaugural PFAS Conference," Freedhoff said EPA intends to mandate industry testing of "representative" PFAS within subgroups of the chemical class, in order to "fill critical gaps in knowledge of human health and environmental hazards and effects," as well as their fate and transport in the environment, toxicokinetics and exposures for vulnerable subpopulations.

While speakers at the NAS meeting acknowledged data gaps on those issues, they also argued that they should not stop regulators from acting on PFAS.

For instance, Joseph Braun, a professor of epidemiology at Brown University, pointed to a 2019 review of human exposure to PFAS led by toxicologist Elsie Sunderland, which in part concluded, "Preliminary evidence suggests significant health effects associated with exposures to emerging PFASs. Lessons learned from legacy PFASs indicate that limited data should not be used as a justification to delay risk mitigation actions for replacement PFASs."

'We Don't Really Know That'
The most strident dissent from that position came from Matthew Longnecker, a consultant for the engineering firm Ramboll. After NAS committee member Brian Linde asked the panel about the role mathematical modeling and structural activity relationships should play in recommendations on PFAS, Longnecker questioned whether current data is enough to support informed regulations.

"[Y]ou would have to know the mode of action, you would have to [...]
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**Maine outlaws PFAS in products with pioneering law**
Sebastien Malo, Reuters
https://www.reuters.com/article/us-environment-pfas-maine/maine-outlaws-pfas-in-products-with-pioneering-law-idUSKBN2EM1EZ

(Reuters) - Maine legislators passed a law Thursday that bans toxic chemicals known as per- and polyfluoroalkyl substances, or PFAS, in nearly all products by 2030, a move environmentalists said is the first such legislation by a U.S. state.

The law, adopted as an emergency measure to immediately protect public health, mandates that on Jan. 1, 2030, "a person may not sell, offer for sale or distribute for sale" in Maine products where PFAS has been "intentionally added" except in cases of "unavoidable use."

It also mandates that effective on Jan. 1, 2023, manufacturers of products for sale in the state that contain the chemical notify state authorities.

The American Chemistry Council industry body in a statement called the measure a "misguided law" that "could hurt Maine families and small businesses" by banning products they rely on.

PFAS, nicknamed "forever chemicals" because they don't break down easily, have been associated with various illnesses including kidney cancer. They have been used for decades in household products such as nonstick cookware, stain- and water-resistant textiles, rugs, food packaging, photo-imaging and in industrial products. Many states have already outlawed their use in food packaging.

The new law comes amid renewed efforts to phase out the substance, with the Biden administration seeking funding to clean up PFAS-contaminated industrial sites and to conduct research on the chemical's effects.

It was sponsored by state House Representative Lori Gramlich, a Democrat who represents Old Orchard Beach in the state's south. Gramlich told Reuters: "PFAS is at a crisis level here in Maine - it's in the soil, groundwater and household items, and it is making people severely sick."

Because it was voted as an emergency measure, passage of the bill required two-thirds of the state's House of Representatives members and of its Senate in order to pass. It did not require the state's governor's signature.

The measure passed with 121 state House lawmakers voting in favor and two casting votes against it while 28 were absent.

Portland, Maine-based environmental health group Defend Our Health hailed the law in a statement, saying it "provides a national model for policymakers to eliminate all but the 'essential' uses of PFAS in products."

The exemption allows for uses for critical products such as medical devices, it said.

Last week, Maine also restricted with a separate law the use of PFAS-containing fire-fighting foam that is typically used on oil rigs and at airports.

Lawsuits over PFAS have multiplied in recent years, partly the result of a 2017 $671 million settlement in which DuPont and Chemours Co agreed to settle thousands of lawsuits involving a leak of perfluorooctanoic acid, a compound that is part of the PFAS family. States from New York to Ohio and Vermont have sued the manufacturers of PFAS over alleged harm to public health and the environment.

Environmental Protection Agency head Michael Regan called in April for the creation of a "council on PFAS" that will be charged with reducing their risk.

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**New Corn Herbicide and Soybean Insecticide Under EPA Consideration for 2022 Season**

Rhonda Brooks, Farm Journal

https://www.agweb.com/news/crops/corn/new-corn-herbicide-and-soybean-insecticide-under-epa-consideration-2022-season

This week, Corteva Agriscience unveiled plans to introduce a new corn premix herbicide and a new soybean insecticide seed treatment to farmers in 2022, pending federal registration by the U.S. Environmental Protection Agency (EPA).

In the corn market, Corteva officials hope to introduce Resicore XL herbicide next season. The premix features three herbicide sites of action groups – acetochlor (Group 15), clopyralid (Group 4) and mesotrione (group 27) – to counter tough weeds and resistance issues.

The herbicide will provide residual control or activity extending up to eight weeks of 75 broadleaf weeds and grasses, according to Brandon Walter, Corteva U.S. product manager, corn herbicides. Target weeds include some of the most difficult to control that farmers face today, including Palmer amaranth, waterhemp, marestail, common ragweed and giant ragweed.

Resicore XL can be applied preplant, preemergence and postemergence – including in corn 11" or larger, giving it the widest application window in the company's corn herbicide portfolio.

"Farmers increasingly face unpredictable weather conditions, and Resicore XL will give them the flexibility to navigate those conditions," Walter says. "They'll also be able to manage application rates, based on what their weed-control needs are at the time."

Crop safety and tankmix compatibility

In addition, the herbicide contains encapsulated acetochlor, which Walter says enhances its crop safety features. It also offers compatibility of use with glyphosate and atrazine.

"It will give farmers weed control they can trust and next-level application flexibility and crop safety," he says. "That means clean fields and less crop response opportunities to help farmers maximize yield potential."

Walter says Corteva is taking advantage of every opportunity it can to look at current modes of action as well as different active ingredients to help farmers stay ahead of what he described as growing weed pressure and weed resistance. The company has launched nine products in the corn herbicide market in the past 20 years.

"We've got a very robust pipeline of new innovation, and not just coming in the corn herbicide portfolio, but also in other portfolios within the crop protection business that we're looking forward to introducing here the next few years to farmers to help meet some of their agronomic needs," he says.

A good fit for early soybeans, cover crops

For the 2022 season, Corteva officials hope to see EPA grant registration to Lumiderm insecticide seed treatment. The product contains a novel Group 28 insecticide mode of action and provides protection against insects including cutworms, white grubs, thrips and wireworms.

"Lumiderm helps the farmer by increasing seedling vigor in the early growth of that soybean plant – to support the development of a good root system and ensure a healthy, robust plant," says Brad Van Kooten, Pioneer seed treatment category leader.

Lumiderm also works well when paired with Gaucho seed treatment and other seed-applied products, adding a unique mode of action on bean leaf beetles, seedcorn maggots and aphids, according to Van Kooten.

He says as more farmers push to plant soybeans early to maximize yields, they are looking for tools to protect their investment in seed, crop inputs and time.

"If I'm concerned about my beans getting out of the ground or worried about insects, this is a tool I can use to help alleviate some of those concerns," he says.

He adds that Lumiderm is also a good fit for farmers who use cover crops.

"Cover crops can be an important part of a sustainable agriculture system by suppressing weeds, preserving nitrogen and improving soil quality, but they also can attract increased and broader insect populations to decaying crop residue and cover crop plants," Van Kooten says. "Lumiderm reduces the risk of stand loss issues in fields with cover crops with its enhanced protection against heavy insect pressure."

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**EPA warns private prison company about pesticide misuse at Tacoma ICE facility**
Lilly Ana Fowler, KNKX
https://www.knkx.org/post/epa-warns-private-prison-company-about-pesticide-misuse-tacoma-ice-facility

The federal Environmental Protection Agency has issued a warning to the private prison company that runs the U.S. Immigration and Customs Enforcement facility in Tacoma.

The EPA says the Florida-based company, GEO Group, exposes detainees at the facility to pesticides multiple times a day without the opportunity to change into clean clothes. Some detainees have complained of headaches and other illnesses they believe the chemicals have caused.

The ICE detention center in Tacoma, where more than 1,500 can be placed while they wait for their immigration cases to proceed, has also recently experienced a COVID outbreak, with dozens of detainees testing positive.

This isn't the first time GEO Group has failed to follow EPA rules. Earlier this year, the EPA reported that California detainees at a GEO Group-run facility were experiencing nosebleeds, burning eyes and other ailments because of pesticide misuse.

In an email, GEO Group said it has been safely using cleaning and disinfectant products for several years and that it intends to address the agency.

Washington state has also sued GEO Group alleging its failure to pay the state minimum wage to detainees who cook and clean in the Tacoma facility. The state's attorney general expects that trial to start in October.

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**EPA Stewardship Program Encourages Voluntary Withdrawal of PFAS LVEs**
Lynn L. Bergeson and Carla N. Hutton, Bergeson & Campbell Blogs
http://www.tscablog.com/entry/epa-stewardship-program-encourages-voluntary-withdrawal-of-pfas-lves

On July 14, 2021, the U.S. Environmental Protection Agency (EPA) announced a stewardship program to encourage the voluntary withdrawal of previously granted low volume exemptions (LVE) for per- and polyfluoroalkyl substances (PFAS). According to EPA, the goal of the PFAS LVE Stewardship Program is to stop the ongoing manufacture of PFAS under previously approved LVEs that have not gone through the full pre-manufacture review process under the Toxic Substances Control Act (TSCA). EPA will hold a webinar on July 29, 2021, to provide an overview of the program.

EPA states that there are approximately 600 PFAS with currently granted LVEs. Through the program, EPA intends to work with trade associations, non-governmental organizations (NGO), and companies to encourage voluntary withdrawal of the LVEs. According to EPA, it based the new program on a 2016 outreach effort that resulted in companies withdrawing more than half of the 82 long-chain PFAS LVEs that were targeted for voluntary withdrawal at the time.

To participate in the program, companies with previously granted PFAS LVEs may choose to withdraw voluntarily their LVEs and certify that they will no longer manufacture or import those PFAS. Alternatively, companies may choose to withdraw voluntarily their LVEs following submission and review of a pre-manufacture notice (PMN), "which will provide

for a robust safety review and the imposition of appropriate and enforceable protections for human health and the environment." EPA states that it will provide recognition of program participants on its website.
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**Death of as Many as 107,000 Bumblebees from Neonicotinoid Insecticides Studied**
Beyond Pesticides Staff, Beyond Pesticides
https://beyondpesticides.org/dailynewsblog/2021/07/death-of-107000-bumblebees-from-neonicotinoid-insecticides-studied/

(Beyond Pesticides, July 16, 2021) Recently published research reviews the 2013 Wilsonville, Oregon mass bumblebee die-off from application of the neonicotinoid dinotefuran on 55 linden trees in a big-box-store parking lot. In that single event, the research paper (published in Environmental Entomology) estimates, between 45,830 and 107,470 bumblebees from some 289–596 colonies were killed. Reporting on the new study, by Entomology Today, quotes primary conclusions of the co-authors: "Our study underscores the lethal impact of the neonicotinoid pesticide dinotefuran on pollinating insect populations," and, "It is likely that the vast majority of mass pesticide kills of beneficial insects across other environments go unnoticed and unreported." As Beyond Pesticides has chronicled, the U.S. and the world are undergoing a pollinator crisis, caused in significant part by agricultural pesticides.

Dinotefuran, the neonicotinoid (neonic) that killed those Oregon bumblebees, is used against fleas, thrips, tree-boring caterpillars, emerald ash borers, hemlock woolly adelgids, and in the Oregon case, aphids. Entomology Today (ET) notes that the timing of this particular application could not have been worse: it happened on a warm day when the linden trees were in full flower and the bees out in force. Ironically, it occurred during Nation Pollinator Week. ET pens a sour footnote on the event: "The aphids posed no threat to the trees but rather to vehicles parked under them, which were spattered with the aphids' honeydew waste."

The authors write: "In addition to the effects that were documented in this study, there were several other documented pesticide poisonings that took place in Oregon in 2013 and affected bumble bee populations. These poisonings include applications of either imidacloprid or dinotefuran that resulted in lethal and sublethal concentrations . . . of these chemicals in the flowers of treated Tilia trees, up to seven months after the initial application. All dead bumble bees that were sampled had significant levels of imidacloprid or dinotefuran. Thus, the effects of neonicotinoids from applications to ornamental trees on non-target insects like bumble bees are likely widespread in the United States."

Given what is known about the damaging impacts of neonics on bees and other pollinators, the study's assertion of massive under-recognition of lethal neonic impacts is alarming. (See Beyond Pesticides reporting on neonics here, here, and here.) Although the agrochemical industry works hard to promote the idea that pathogens are responsible for the extensive bee and pollinator loss of the past two decades, ample evidence belies this whitewashing. Pointedly, the acute lethal impacts in the 2013 Wilsonville event and another a few days later in Hillsboro, Oregon contravene that contention in stark terms.

Emerging scientific consensus on central causes of bee loss focuses on pesticide impacts and how they make bees more vulnerable to pathogens. As Beyond Pesticides recently wrote, 2019 Canadian research "found that 'real life' exposures to neonicotinoid insecticides impair honey bees' ability to groom harmful mites from their bodies, thus allowing mite populations to thrive." In addition, Beyond Pesticides has discussed the coincidence, during the early 2000s, of the emergence of CCD [Colony Collapse Disorder] and severe colony losses with the spike in use of neonicotinoid pesticides, particularly delivered as seed coatings. In 2014, a study from the Harvard T.H. Chan School of Public Health showed that two neonics — imidacloprid and clothianidin — significantly harm honey bee colonies during winters.

Further, the damaging impacts of neonicotinoids are not confined to pollinators and their ecosystems. Declines in pollinator populations work their way up and down the food chain, from the plants that depend on pollination to the people that rely on the many foods that pollination provides. Beyond Pesticides wrote in [...]
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**Toward deep structural reform of pesticides**
Pete Myers, Environmental Health News
https://www.ehn.org/pesticide-regulation-2653764945.html

Despite Rachel Carson epic warnings in Silent Spring, total pesticide use, including insecticides, herbicides, fungicides and other "cides", around the globe has increased five-fold since she published the book in 1962.

The herbicidal properties of glyphosate, the active ingredient in Monsanto's block-buster herbicide Roundup, were unknown to Rachel Carson. She died before the 1970s when Monsanto's John E. Franz discovered them. Since the beginning of glyphosate's use, Monsanto has claimed that it is safe for people.

Since colleagues and I published Our Stolen Future in 1996, the use of glyphosate-based herbicides has grown at least ten-fold (through 2014) and more than 100-fold since the late 1970s. It is now the most widely used herbicide in the world. In spite of Monsanto's ongoing claims of safety—as well as those from Bayer, which acquired Monsanto in 2018—over the last 10 years independent scientific research has shown glyphosate is toxic to vertebrates.

And then came the lawsuits about Roundup and cancer, and guilty verdicts and large punitive damages.

I offer that context to set up the following conclusion: It's about time a comprehensive, scholarly book like Herbicides: Chemistry, Efficacy, Toxicology and Environmental Impacts is being published, written by trusted scientific experts without problematic conflicts of interest and taking an unvarnished, deep look at herbicides. I wish it had been available decades ago.

Why is this book needed? Scientists working in this field need to understand all dimensions of the playing field. One dimension is the science. But researchers also need to be aware of the corruption that has plagued herbicide science. They need to develop a nose for what's real and what's not. They need to be prepared to detect and counteract "manufactured doubt," the phenomenon that the chemical and herbicide industries employ to undermine scientific evidence of harm. This book is not manufactured doubt. Instead, it's distilled reality.

Manufactured doubt
Manufacturing doubt has become standard practice in the chemical industry. Large revenue streams from the sale of successful chemicals can be applied to the toolkits of 'doubt' practitioners. Consider these recent examples of industries using manufactured doubt to defend against complaints of harm: Syngenta and atrazine. Johnson & Johnson and asbestos in talc. Volkswagen's diesel scandal. Monsanto and glyphosate.

A whole new trophic level of scientific 'research' has been created: "product defense firms" whose business model is to deliver science that defends the interested party's products by creating enough uncertainty in the minds of regulators that they, the regulators, can tell the opposing parties "to come back when a scientific consensus is reached." Adept product defense firms powered by the monetary value of keeping the product on the market can delay that "come back" moment for decades.

The investigative reporter, Paul Thacker, writing in Environmental Science and Technology revealed an elaborate plan developed by the Weinberg Group, a product defense firm, to help Dupont withstand a growing public health scandal swirling around its PFOA plant in West Virginia. This scandal ultimately escalated into the 2019 feature film Dark Waters, starring Mark Ruffalo. There is a lesson there for any company contemplating manufactured doubt. If you lose, you lose very big. The reputation of DuPont is forever sullied.

There are more cases in the wings. The next one will be a lawsuit against Syngenta for decades of misrepresenting, according to the plaintiffs, the dangers of the herbicide Paraquat. The plaintiffs' lawyers also claim that documents obtained in discovery lay bare a profound disregard by Syngenta for human life and suffering since the 1960s when Paraquat came on the market. Thousands have died around the world. Those who lived were at great risk to Parkinson's Disease as they aged.

Broken regulatory system
Are these and other [...]
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**Support Growing for Scientific, Risk-Based Regulation of Pesticides**
Mary Hartney, Growing Produce
https://www.growingproduce.com/crop-protection/support-growing-for-scientific-risk-based-regulation-of-pesticides/

With the hope that next time we'll be in person, Florida Fertilizer & Agrichemical Association (FFAA) met virtually with Congressmen Neal Dunn, Greg Steube, and staffers of other Florida delegation members during the Southern Crop Production Association (SCPA) Virtual Hill visits.

SCPA and FFAA members covered three topics during the Florida meetings: Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), Pesticide Registration Improvement Act (PRIA), and Mexico. The underlying theme was the agchem industry's support for scientific risk-based regulation of pesticides.

Nutrien's Rachel Garland was our go-to industry member when it came to talking about FIFRA — and if she wasn't online, the topic was covered by SCPA's Executive Vice President Bucky Kennedy or State Affairs Director John Campbell. Also chiming in at times were CropLife America's (CLA) Beau Greenwood, Molly O'Connor, Ethan Mathews, and Riley Titus, and Richard Gupton with the Agricultural Retailers Association. The agchem industry sure is fortunate to have these folks advocating on our behalf!

These representatives described industry's support for FIFRA. In recent years, there have been efforts to undermine the U.S. EPA's risk-based approach to regulating pesticides. The sound science that has traditionally underpinned the EPA's regulatory process has given way to politics and emotion. Legislative proposals that disregard EPA through the pesticide registration process are impacting CLA-member companies' ability to bring new products to market and will result in decreased product availability for U.S. farmers. Industry may not always agree with EPA's decisions, but the process works and deserves continued support.

The FIFRA Ask
Please oppose any legislative proposal that would undermine the EPA Office of Pesticide Program's ability to effectively regulate pesticides.

PRIA: Helena Agri-Enterprises' John Baxter covered the PRIA issue for our group. He explained industry supports PRIA and advocated for adequate funding for PRIA-related activities in FY 2022. Baxter noted that pesticide manufacturers support EPA's work by paying fees that provide additional resources for EPA's registration efforts.

In recent years, short-term PRIA extensions and funding shortfalls triggered a noticeable decrease in EPA staffing levels and a subsequent loss of institutional knowledge. Resulting delays in decisions have caused new products to address new and emerging pests and diseases to miss growing seasons and affects CLA-member companies' decisions on new research and development investments.

The PRIA Ask
Please support statutory minimum funding of $128.3 million for EPA's pesticide registration programs.

Mexico: With the assistance of CLA and SCPA's policy handouts, I had an opportunity to chime in on the concerns regarding Mexico's recent actions involving glyphosate. I especially appreciated when Beau Greenwood or Molly O'Connor with CropLife America covered this issue and asked for the member or their staff to reach out to the United States Trade Representative (USTR) and USDA to hold Mexico accountable under the United States-Mexico-Canada (USMCA) agreement.

In late 2019, the government of Mexico began to deny import permits of glyphosate with no scientific justification. Since

this initial ban, the second largest export market for U.S. agriculture has continued to make radical shifts in its approach to pesticide regulation.

The Mexican government's decree is not based on sound science and creates a dangerous precedent that could extend to other agricultural chemicals and to other countries in Central and South America. It is vital that our trading partners uphold their commitments in our trade agreements. The decree adopted by Mexico not only violates Mexico's obligations under the USMCA, but also threatens to undermine international sanitary and phytosanitary trade provisions.

The Mexico Ask
Support a scientific, risk-based approach to regulation, and [...]
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**Glyphosate's illegal use is an open secret**
John DeGroot, Woodstock Sentinel-Review
https://www.woodstocksentinelreview.com/opinion/columnists/glyphosates-illegal-use-is-an-open-secret

It is against the law to drive over the speed limit, but everybody does it. It is against the law to use glyphosate (Roundup) around the house, but everybody does it. Almost.

Glyphosate is a Class 7 pesticide, which means retailers are to keep it under lock and key. Or keep it behind the counter so buyers cannot access it without speaking to a salesclerk. And when the clerk hands over a bottle of glyphosate, they are also required to give them a sheet of paper outlining certain details, including the phone number of Ontario's pesticide hotline.

Homeowners who use glyphosate for cosmetic purposes are breaking the law. It is fine to use glyphosate to protect your health and safety, but not for any other purpose. Not for weeds and grasses in sidewalk cracks and not for unwanted vegetation on gravel driveways.

It would seem odd that glyphosate is available on store shelves everywhere. Box stores, hardware stores and even grocery stores sell glyphosate. Odd, because the only logical purpose for glyphosate is to kill poison ivy. And perhaps stinging nettle and thistle.

Too often, unsuspecting gardeners use glyphosate for the wrong reasons. They will use it as an herbicide to kill weeds, without knowing that it kills grass as well. They will use it in the perennial or vegetable garden to kill weeds, not knowing that it will kill Hostas and peppers as well.

Glyphosate is a non-selective vegetation killer that will kill anything it meets. Spray it on anything green and within a week you will begin to see the plant lose colour. In two weeks the green plant will have turned yellow and will soon become brown.

Glyphosate is not an instant gratification herbicide. There are a few brands that have been modified to work within three to five days, but the standard product requires seven to 10 days to show results.

To be effective, glyphosate needs to be sprayed on healthy green leaves. Spraying it on brown bark will not work. Spraying it in winter will not work. Even spraying it during a summer dry spell reduces its effectiveness.

Glyphosate is not a weed preventer. It will kill what is green and above the ground, but will not prevent seeds from sprouting. Oddly enough, you can water grass seed and vegetable seeds with glyphosate, but it should be put away as soon as seeds show green growth.

Sometimes, but not often, glyphosate needs a surfactant (spreader sticker) to be added in the sprayer in order to be

effective. Phragmites, for example, has foliage that prevents glyphosate from sticking to the leaf tissue. The solution is to add a small amount of oil to the mix.

As quickly as glyphosate hits soil, it becomes null and void, with no residual after-effects. Sod, seed, new plants and seedlings can be planted in the ground immediately after application.

Don't look for glyphosate in concentrated form. Retailers in Ontario will only find it in a ready-to-use spray bottle. Only farmers can buy concentrated form, and can only buy it after passing a certification exam and test.

Unlike aspirin for your headache or sugar for your coffee, the "if a little is good, a lot will be better" theory does not apply to glyphosate. Mixing it at double strength won't give double the results. Foliage does not need to be soaked with spray to be effective. The slightest breeze will cause spray to drift over and harm desirable plants.
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*And while you're reading…. Remember to shoot your coworkers a shooting star!*